United Nations A/C.5/60/L.19*

General Assembly

Distr.: Limited
29 December 2005

Original: English

Sixtieth session
Fifth Committee
Agenda item 135
Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Draft resolution submitted by the Chairman following informal consultations

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the reports of the Secretary-General on the financing for the biennium 2006-2007 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,[1] on staff retention and legacy issues[2] and on the revised estimates arising from the effect of changes in rates of exchange and inflation,[3]

Having also considered the related reports of the Advisory Committee on Administrative and Budgetary Questions,[4]

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions 58/255 of December 2003 and 59/274 of 23 December 2004,

1. *Takes note* of the reports of the Secretary-General on the financing for the biennium 2006-2007 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law

* Reissued for technical reasons.
[1] A/60/264.
[2] A/60/436.
[3] A/60/600.

05-65830* (E) 291205

Committed in the Territory of the Former Yugoslavia since 1991,[1] on staff retention and legacy issues[2] and on the revised estimates arising from the effect of changes in rates of exchange and inflation;[3]

2. *Endorses* the conclusions and recommendations contained in the related reports of the Advisory Committee on Administrative and Budgetary Questions;[4]

3. *Decides* to appropriate to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, a total amount of 305,137,300 United States dollars gross (278,559,400 dollars net) for the biennium 2006-2007, as detailed in the annex to the present resolution;

4. *Decides also* that the total assessment for 2006 under the Special Account would amount to 152,443,900 dollars, being half of the estimated appropriation approved for the biennium 2006-2007 after taking into account 124,750 dollars, which is half of the estimated income for the biennium 2006-2007 of 249,500 dollars;

5. *Decides further* to apportion the amount of 76,221,950 dollars gross (69,577,475 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2006, as set out in its resolution 58/1 B of 23 December 2003;

6. *Decides* to apportion the amount of 76,221,950 dollars gross (69,577,475 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2006;

7. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 5 and 6 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 13,288,950 dollars approved for the International Tribunal for the Former Yugoslavia for 2006;

8. *Decides further* that the provisions for the applications of credits under regulations 3.2 (d), 5.3 and 5.4 of the Financial Regulations of the United Nations[5] shall be suspended in respect of the amount of 21,012,700 dollars gross (21,962,900 dollars net), which otherwise would have to be surrendered pursuant to those provisions;

9. *Encourages* the International Tribunal for the Former Yugoslavia to continue its efforts to refer cases involving intermediate and lower-ranking accused to competent national jurisdictions in the former Yugoslavia pursuant to rule 11 bis of its Rules of Procedure and Evidence.

[4] A/60/591 and A/60/7/Add.32.

[5] ST/SGB/2003/7.

Annex

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	*Net*
	(United States dollars)	
Estimated appropriation for the biennium 2006-2007	320 842 900	289 925 300
Revised estimates: effect of changes in rates of exchange and inflation	(15 705 600)	(11 365 900)
Reductions made by the Advisory Committee on Administrative and Budgetary Questions (after recosting)	—	—
Reductions proposed by the Fifth Committee	—	—
Estimated initial appropriation for the biennium 2006-2007	305 137 300	278 559 400
Estimated income for the biennium 2006-2007	(249 500)	(249 500)
Assessment for 2006	152 443 900	139 154 950
Of which:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2006	76 221 950	69 577 475
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2006	76 221 950	69 577 475